

## **REMARKS**

### **I. Introduction**

This paper addresses the Office Action of July 18, 2007, in connection with the above-captioned application. A Notice of Appeal was filed on January 22, 2008 but no decision has been rendered. Concurrently herewith, Applicants are filing a Request for Continued Examination pursuant to 37 C.F.R. § 1.114 and paying the required fee set forth in § 1.17(e). Therefore, pursuant to 37 C.F.R. § 1.114(d), Applicants request that the finality of the July 18, 2007 Office Action be withdrawn, that the appeal be withdrawn, and that the Examiner consider Applicants' current amendment and remarks.

Claims 1 and 3 to 17 stand rejected.. Independent claims 1, 4, 5, 10, and 14 have been amended. No new matter has been added. The amendment is supported by the original disclosure. With the cancellation herein without prejudice of claim 6, claims 1, 3 to 5, and 7 to 17 are presently pending.

Reconsideration of the application is respectfully requested in light of the amendments and the following remarks.

### **II. Claim Objections**

Claims 5 and 6 were objected to.

Claim 5 was objected to on the grounds of informality for reciting "a latch" in line 13. In this regard, claim 13 has been amended herein without prejudice to replace "a latch" with --the latch--. As such, it is respectfully submitted that this objection has been obviated.

Claim 6 was objected to under 37 C.F.R. 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. While this objection is not necessarily agreed with, claim 6 has been canceled herein without prejudice, thereby rendering moot the present objection with regard to claim 6.

In view of the foregoing, withdrawal of these objections is respectfully requested.

### **III. Rejection of Claims 1 and 3 Under 35 U.S.C. § 103(a)**

Claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,658,026 ("Nigro, Jr. et al.") in view of Applicants' allegedly admitted prior art. It is respectfully submitted that Nigro, Jr. et al., in view of Applicants' allegedly

admitted prior art, does not render unpatentable the present claims for at least the following reasons.

Claim 1 has been amended herein without prejudice to recite in part:

a handle pivotably arranged on the front side of the support plate, wherein a cam shaft configured to be arranged in the aperture depends from the handle;

a cam follower disposed on the back side of the support plate, directly coupled to the cam shaft; and

a latch operably connected to the handle via the cam shaft and cam follower, configured so that force applied to the handle may be transferred directly via the cam shaft and cam follower to lift the latch.

Support for this amendment may be found, for example, at paragraph 10 of the Specification and at Figure 3.

Nigro, Jr. et al. relate to a door handle locking mechanism used with panic exit devices opposite a push bar. *See* ‘026 patent, col. 2, lines 3-4. Nigro, Jr. et al. disclose, for example, a lever 30 mounted to a housing 10 and pivotable about a handle shaft 35. *See* ‘026 patent, Fig. 2 and col. 2, lines 15-19, and lines 34-35. A cam 20 is mounted on the handle shaft 35. A slider 60 may be engaged by the rotation of the cam 20 but the slider 60 is not directly coupled to the handle shaft 35. *See* ‘026 patent, Fig. 4 and col. 3, lines 10-12 (“When the handle 30 is rotated, shaft 35 and cam 20 also rotate. Cam lobes 25 push against slider 60 to move the slider....”). Additionally, slider 60 is not disposed on the back side of the housing 10 but rather mounted behind a cover plate 15. *See* ‘026 patent, col. 2, lines 18-19. Moreover, cam 70, cam shaft 40, and tailpiece 50 are the mechanisms that operate a door latch spindle, not the cam 20 and handle shaft 35. *See* ‘026 patent, col. 3, lines 21-25 (“As the slide [60] moves upward, the lateral branch L of the branched S drives cam lever 75 causing cam 70 to rotate. This drives cam shaft 40 and tailpiece 50 to operate a door latch spindle (not shown) and unlatch the door.”). A spindle is the square section within a door handle mechanism that actuates a latch that retracts, such as, a latch that is used in panic exit devices opposite a push bar on a door such as a fire exit door. *See, e.g.*, ‘026 patent, col. 2, lines 3-5 and lines 24. A retractable latch is an entirely different latch mechanism from a latch that is lifted. In Nigro, Jr. et al., turning the handle 30 causes the [cam] shaft 35 to turn which causes cam 20 to turn. Cam 20 then causes slider 60 to move which then causes a second cam 70 to turn, thus driving a second cam shaft 40 to operate a door latch spindle to cause the latch to retract. In effect, Nigro, Jr. et al. do not disclose a direct coupling or a direct transference of force to lift a latch.

As such, Nigro, Jr. et al. do not disclose, or even suggest, a cam follower disposed on the back side of the support plate and directly coupled to the cam shaft, and a latch operably connected to the handle via the cam shaft and cam follower, configured so that force applied to the handle may be transferred directly via the cam shaft and cam follower to lift the latch.

Applicants' allegedly admitted prior art also does not disclose, or even suggest, a cam follower disposed on the back side of the support plate and directly coupled to the cam shaft, and a latch operably connected to the handle via the cam shaft and cam follower, configured so that force applied to the handle may be transferred directly via the cam shaft and cam follower to lift the latch.

As indicated above, Nigro, Jr. et al. and the allegedly admitted prior art, alone or in combination, do not disclose, or even suggest, all of the features recited in claim 1. Nigro, Jr. et al. is not even applicable to a latch that is lifted because the Nigro, Jr. et al. door handle mechanism would not work for such a latch. As such, it is respectfully submitted that Nigro, Jr. et al. in view of the allegedly admitted prior art does not render unpatentable claim 1.

Claim 3 depends from claim 1 and therefore includes all of the features recited in claim 1. As such, it is respectfully submitted that Nigro, Jr. et al. in view of Applicants' allegedly admitted prior art does not render unpatentable claim 3 for at least the same reasons set forth above in support of the patentability of claim 1.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

#### **IV. Rejection of Claim 4 Under 35 U.S.C. § 103(a)**

Claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over Nigro, Jr. et al. in view of Applicants' allegedly admitted prior art and U.S. Patent No. 6,062,616 ("Smolarski"). It is respectfully submitted that Nigro, Jr. et al. in view of Applicant's allegedly admitted prior art and Smolarski does not render unpatentable claim 4 for at least the following reasons.

Claim 4 has been amended herein without prejudice to recite in part:

a handle pivotably arranged on the front side of the support plate; and

a roller bearing arrangement depending from the handle, configured to transfer force directly from the handle to a latch in order to lift the latch.

Support for this amendment may be found, for example, at paragraph 10 of the Specification and at Figure 3.

As indicated above in support of the patentability of claim 1, Nigro, Jr. et al. relate to a door handle locking mechanism and disclose, for example, a lever 30 mounted to a housing 10 and pivotable about a handle shaft 35. See ‘026 patent, Fig. 2 and col. 2, lines 15-19, and lines 34-35. A cam 20 is mounted on the handle shaft 35. A slider may be engaged by the rotation of the cam 20 to cause a second cam 70 to turn, driving a second cam shaft 40 to operate a door latch spindle to cause the latch to retract. There is no roller bearing in Nigro, Jr. et al.

As such, Nigro, Jr. et al. do not disclose, or even suggest, a roller bearing arrangement depending from a handle, configured to transfer force directly from the handle to a latch to lift the latch. The door handle in Nigro, Jr. et al. would not work for a latch that is lifted.

The allegedly admitted prior art also does not disclose, or even suggest, a roller bearing arrangement depending from a handle, configured to transfer force directly from the handle to a latch to lift the latch.

Smolarski relates to door handles and discloses, referring, for example, to Figure 2, a handle 12 connected to a shank 17, which is connected to a spindle 13. A bearing assembly 30 is mounted between the shank and a face plate 11. The bearing assembly does not directly transfer force from the handle to a latch. Rather, the force is transferred from the handle to the shank to a spindle to a latching mechanism. See, e.g., ‘616 patent, col. 2, lines 8-34. Moreover, the presence of the spindle indicates that the latch mechanism is the retractable type, as opposed to the lifting type. As such, Smolarski does not disclose, or even suggest, a roller bearing arrangement depending from the handle, configured to transfer force directly from the handle to a latch to lift the latch. The door handle disclosed in Smolarski would not work for a latch that is lifted.

As indicated above, Nigro, Jr. et al., Applicants’ allegedly admitted prior art, and Smolarski, alone or in combination, do not disclose, or even suggest, all of the features recited in claim 4. As such, it is respectfully submitted that Nigro, Jr. et al., in view of the allegedly admitted prior art and Smolarski, does not render unpatentable claim 4.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

## V. Rejection of Claims 5 to 9 and 14 to 17 Under 35 U.S.C. § 103(a)

Claims 5 to 9 and 14 to 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,813,675 (“Greenwood”) in view of Nigro, Jr. et al. and

Applicants' allegedly admitted prior art. It is respectfully submitted that Greenwood, in view of Nigro, Jr. et al. and Applicant's allegedly admitted prior art, does not render unpatentable the present claims for at least the following reasons.

As an initial matter, claim 6 has been canceled herein without prejudice, thereby rendering moot the present rejection with regard to claim 6.

Claim 5 has been amended herein without prejudice to recite in part:

a cam follower disposed on the back side of the support plate, directly coupled to the cam shaft; wherein the latch is operably connected to the handle via the cam shaft and cam follower and configured so that force applied to the handle may be transferred directly via the cam shaft and cam follower to lift the latch.

Claim 14 has been amended herein without prejudice to recite in part:

an extension member pivotably attached to the housing; and  
means for directly transferring a force imparted on the extension member to the door latch, to lift the door latch.

Support for the amendments to claims 5 and 14 may be found, for example, at paragraph 10 of the Specification and at Figure 3.

Greenwood relates to a reconfigurable casino table game and gaming machine table and discloses, referring, for example, to Figure 1, door panels 34A to 34C. Greenwood is silent regarding a latching mechanism. As such Greenwood does not disclose, or even suggest, a cam follower disposed on the back side of the support plate, directly coupled to the cam shaft; wherein the latch is operably connected to the handle via the cam shaft and cam follower and configured so that force applied to the handle may be transferred directly via the cam shaft and cam follower to lift the latch. Greenwood also does not disclose, or even suggest, means for directly transferring a force imparted on an extension member to a door latch, to lift the door latch.

As stated more fully above in support of the patentability of claim 1, Nigro, Jr. et al. relate to a door handle locking mechanism and disclose, for example, a lever 30 mounted to a housing 10 and pivotable about a handle shaft 35. *See* '026 patent, Fig. 2 and col. 2, lines 15-19, and lines 34-35. A cam 20 is mounted on the handle shaft 35. A slider may be engaged by the rotation of the cam 20 to cause a second cam 70 to turn, driving a second cam shaft 40

to operate a door latch spindle to cause the latch to retract. In effect, Nigro, Jr. et al. do not disclose a direct coupling or a direct transference of force to lift a latch.

As such, Nigro, Jr. et al. do not disclose, or even suggest, a cam follower disposed on the back side of the support plate and directly coupled to the cam shaft, and the latch being operably connected to the handle via the cam shaft and cam follower, and configured so that force applied to the handle may be transferred directly via the cam shaft and cam follower to lift the latch. Nigro, Jr. et al. also do not disclose, or even suggest, means for directly transferring a force imparted on an extension member to a door latch, to lift the door latch.

Applicants' allegedly admitted prior art also does not disclose, or even suggest, a cam follower disposed on the back side of the support plate and directly coupled to the cam shaft, and the latch being operably connected to the handle via the cam shaft and cam follower, and configured so that force applied to the handle may be transferred directly via the cam shaft and cam follower to lift the latch.

As indicated above, Greenwood, Nigro, Jr. et al., and Applicants' allegedly admitted prior art, alone or in combination, do not disclose, or even suggest, all of the features recited in any of claims 5 and 14. As such, it is respectfully submitted that Greenwood, in view of Nigro, Jr. et al. and Applicants' allegedly admitted prior art, does not render unpatentable any of claims 5 and 14.

Claims 7 to 9 depend from claim 5 and therefore include all of the features recited in claim 5. As such, it is respectfully submitted that Greenwood, in view of Nigro, Jr. et al. and Applicants' allegedly admitted prior art, does not render unpatentable any of these dependent claims for at least the same reasons set forth above in support of the patentability of claim 5.

Claims 15 to 17 depend from claim 14 and therefore include all of the features recited in claim 14. As such, it is respectfully submitted that Greenwood, in view of Nigro, Jr. et al. and Applicants' allegedly admitted prior art, does not render unpatentable any of these dependent claims for at least the same reasons set forth above in support of the patentability of claim 14.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**V. Rejection of Claims 10 to 13 Under 35 U.S.C. § 103(a)**

Claims 10 to 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Greenwood in view of Nigro, Jr. et al., Applicants' allegedly admitted prior art, and Smolarski.

Claim 10 has been amended herein without prejudice to recite in part:

a handle pivotably arranged on the front side of the support plate, and  
a roller bearing arrangement depending from the handle, configured to transfer force directly from the handle to a door latch in the gaming terminal, to lift the door latch.

Support for this amendment may be found, for example, at paragraph 10 of the Specification and at Figure 3. No new matter has been added.

As indicated more fully above in support of the patentability of claim 4, none of Nigro, Jr. et al., Applicants' allegedly admitted prior art, and Smolarski disclose, or even suggest, a roller bearing arrangement depending from a handle, configured to transfer force directly from the handle to a latch to lift the latch. Moreover, neither Nigro, Jr. et al. nor Smolarski discloses a door handle mechanism that is applicable to a latch that is lifted because the mechanisms in Nigro, Jr. et al. and in Smolarski would not work for a latch that is lifted. Furthermore, Greenwood does not disclose, or even suggest, any latch mechanism or a roller bearing depending from a handle, configured to transfer force directly from the handle to the latch to lift the latch..

As indicated above, Greenwood, Nigro, Jr. et al., Applicants' allegedly admitted prior art, and Smolarski, alone or in combination, do not disclose, or even suggest, all of the features recited in claim 10. As such, it is respectfully submitted that Greenwood, in view of Nigro, Jr. et al., Applicants' allegedly admitted prior art and Smolarski, does not render unpatentable claim 10.

Claims 11 to 13 depend from claim 10 and therefore include all of the features recited in claim 10. As such, it is respectfully submitted that Greenwood, in view of Nigro, Jr. et al., Applicants' allegedly admitted prior art and Smolarski, does not render unpatentable any of these dependent claims for at least the same reasons set forth above in support of the patentability of claim 10.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

## **IX. Conclusion**

In light of the foregoing, it is respectfully submitted that all of the presently pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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